

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-12395-2019

Date of decision : 20.04.2023

Darshan Lal and another

.....Petitioners

VERSUS

State of Punjab and another

....Respondents

**CORAM:- HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR. JUSTICE HARPREET SINGH BRAR**

Present: Mr. Jaideep Verma, Advocate,
for the petitioners.

Mr. V.G. Jauhar, Addl. A.G., Punjab.

Ms. Anu Chatrath, Senior Advocate with
Ms. Sandeep Kaur, Advocate, for respondent No.2.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioners have approached this Court for issuance of a writ of *mandamus* directing respondents No.1 and 2 to allot them a plot under the Local Displaced Persons Scheme, as per Ludhiana Improvement Trust Land Disposal Rules, 1964.

Learned counsel for the petitioners contends that the petitioners had purchased a plot measuring 04 marlas in the revenue estate of village Hebowal Kurd, Tehsil and District Ludhiana, from one Harish Chander, vide registered sale deed vasika No.6708 dated 12.09.1973. The said plot of the petitioners along with the land of other land-owners was acquired by the respondents for the development of Maharishi Balmiki Nagar, Ludhiana. He contends that the petitioners are, therefore, entitled for allotment of plot as a

Local Displaced Person on priority basis under the Punjab Town Improvement Trust Act, 1922.

Counsel further submits that the petitioners would be entitled to the benefit of the judgment of this Court in **Pritam Kaur Grewal and others Vs. Improvement Trust, Ludhiana and others** 2007 (2) RCR Civil 543. In a similar case as that of the petitioners, one Krishna Kumar son of Laxmi Chand, had also been granted the benefit of allotment of plot under the Local Displaced Persons Scheme as per the Ludhiana Improvement Trust Land Disposal Rules, 1964. Order in favour of Shri Krishan Kumar was passed on 22.03.2012 (Annexure P-8) by the Principal Secretary to Government of Punjab, Department of Local Government, which has been implemented by the Improvement Trust while allotting a plot under the Local Displaced Person category on 01.11.2012 (Annexure P-9). Petitioners are entitled to the same benefit. He submits that the petitioner has submitted various representations to the respondents, one of which is dated 19.12.2018 (Annexure P-5), but the same has not been decided till date.

Counsel for the petitioners further contends that the petitioners, at this stage, would be satisfied if a direction is issued to the respondents to consider and decide the representation dated 19.12.2018 (Annexure P-5) within some specified time.

Learned senior counsel for respondent No.2 submits that she has no objection to the prayer made by the learned counsel for the petitioners.

In the light of the statement made by the counsel for the petitioners, the present writ petition is disposed of without going into the merits of the case or commenting thereon, with direction to the respondents to consider and decide the representation dated 19.12.2018 (Annexure P-5)

within a period of four months from the date of receipt of certified copy of this order. The decision so taken be conveyed to the petitioners forthwith.

In case the claim of the petitioners is accepted, the consequential relief be also granted to them within a further period of two months.

(AUGUSTINE GEORGE MASIH)
JUDGE

20.04.2023
Harish

(HARPREET SINGH BRAR)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No